

§ 52.825

40 CFR Ch. I (7-1-06 Edition)

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.824, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 52.825 Compliance schedules.

(a) [Reserved]

(b) *Regulation for increments of progress.* (1) Except as provided in paragraph (b)(2) of this section, the owner or operator of any stationary source subject to regulation 4.3.(3)(b), "Rules and Regulations Relating to Air Pollution Control of the Iowa Air Pollution Control Commission" shall, no later than December 31, 1972, submit to the Administrator for approval, a proposed compliance schedule that demonstrates compliance with the applicable regulation as expeditiously as practicable but no later than January 1, 1975. The compliance schedule shall provide for periodic increments of progress towards compliance. The dates for achievement of such increments shall be specified. Increments of progress shall include, but not be limited to: Letting of necessary contract for construction or process changes, if applicable; initiation of construction; completion and

start-up of control system; performance tests; and submittal of performance test analysis and results.

(2) Where any such owner or operator demonstrates to the satisfaction of the Administrator that compliance with the applicable regulations will be achieved on or before December 31, 1973, no compliance schedule shall be required.

(3) Any owner or operator who submits a compliance schedule pursuant to this paragraph shall, within 5 days after the deadline for each increment of progress, certify to the Administrator whether or not the required increment of the approved compliance schedule has been met.

(4) Any compliance schedule adopted by the State and approved by the Administrator shall satisfy the requirements of this paragraph for the affected source.

(c) The compliance schedules for the sources identified below are approved as revisions to the plan pursuant to § 51.104 and subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

IOWA

Source	Location	Regulation involved	Date adopted	Variance expiration date	Final compliance date
Iowa Army Ammunition Plant (explosive contaminated waste burning).	Middletown, Iowa.	400—4.2(1)	June 14, 1979	Feb. 28, 1982 ..	Feb. 1982.
Progressive Foundry, Inc., cupola and casting shakeout area.	Perry	400—4.6	Nov. 6, 1981	Sept. 1, 1983.

NOTE 1: Linn County Health Department does not issue variances if source(s) is on an approvable compliance schedule.

NOTE 2: Polk County Department of Health does not issue variances if source(s) is on an accepted and approved compliance schedule.

NOTE 3: City of Des Moines, Department of Public Health does not issue variances if source(s) is on an accepted and approved compliance schedule.

[37 FR 10865, May 31, 1972]

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§§ 52.826–52.827 [Reserved]

§ 52.828 Enforcement.

(a) Sections 23(1)(b) and 13(7) of Senate File 85, Division II for Iowa are disapproved insofar as they permit the Air Quality Commission of the Iowa Department of Environmental Quality to issue abatement orders (1) that defer compliance with plan requirements be-

yond the dates required for attainment of the national standards, (2) without the approval of the Administrator, and (3) for reasons not permitted by the Clean Air Act.

(b) Regulation limiting administrative abatement orders:

(1) No order deferring compliance with a requirement of the Iowa Implementation Plan shall be issued by the